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ENCOMPASS NETWORK SERVICES

1305 West 1st Street

Tempe, Arizona 85281

Phone 480-505-6800

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www.encompasserv.com

Letter of Appeal November 27, 2002
Federal Communications Commission,
Office of the Secretary
445-12th Street SW
Washington, DC 20554

Ref: CC Docket Nos. 96-45 and 97-21

SPIN # 143005983 FRN # 596051
Wilson Electric Co., Inc, dba Encompass invoice # 58515, \$29,813.17

Dear Sir or Madam:

We would like to formally appeal the SLC determination to refuse our extension request for payment of the above referenced billing.

The attached USAC letter of denial states "In accordance with the FCC Report and Order (FCC 01-195) released on June 29, 2001, the Administrator may grant an extension of time for the implementation of non-recurring services if the implementation is delayed for circumstances beyond the named service provider's control."

Our basis for asking you to grant our extension request is due to the fact that our supplier delayed in providing us materials to begin work on this project. We did eventually receive the materials and started work on August 21, 2002, but the delay caused us not to complete the work until October 29, 2002, past the deadline of 9/30/2002. We made every effort to correct the problem/ delay, but it was outside of our control.

Your review of this appeal is greatly appreciated. Please contact the undersigned, should you have any questions or need additional information. Thank you.

Sincerely,

Wilson Electric Co., Inc. dba Encompass

Wayne Barton
Phone: (480) 505-6544
Fax: (480) 505-6548
wayne.barton@encompass.com

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Attached: USAC Letter, original request for extension



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Implementation Extension Request

11/22/02

Wayne Barton
Wilson Electric Co. dba Encompass Network Solutions
1305 West 1st Street
Tempe, AZ 85281

471 Application Number: 244902
Funding Request Number(s): 596051
Your Correspondence Dated: 10/29/02

After thorough review and investigation of all relevant facts, the Schools and Libraries Division ("SLD") of the Universal Service Administrative Company ("USAC") has made its decision in regard to your implementation extension request. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission ("FCC"). If your request included more than one 471 Application, please note that for each application you will receive a separate determination letter.

FRN: 596051

Decision on extension request: **Denied in full**

Explanation: Request for extension was received after the original non-recurring services deadline of 9/30/02. Equipment was delivered after the implementation deadline and before the request for the extension.

In accordance with the FCC Report and Order (FCC 01-195) released on June 29, 2001, the Administrator may grant an extension of time for the implementation of non-recurring services if the implementation is delayed for circumstances beyond the named service provider's control. You have been unable to establish such circumstances.

FCC REVIEW OF THE ADMINISTRATOR'S DECISION

If you believe there is a basis for further examination of your request, you may file an appeal with the Federal Communications Commission (FCC): FCC, Office of the Secretary, 445-12th Street SW, Washington, DC 20554. If you are submitting your appeal to the FCC by other than United States Postal Service, check the SLD web site <www.sl.universalservice.org> for more information. You should refer to CC Docket Nos. 96-45 and 97-21 on the first page of your appeal to the FCC. Your appeal must be made in writing and RECEIVED BY THE FCC at the FCC address above WITHIN 60 DAYS OF THE ABOVE DATE ON THIS LETTER. Failure to meet this requirement will result in automatic dismissal of your appeal. Further information and new options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference area of the SLD web site.

We thank you for your continued support, patience, and cooperation during the request review process.

Schools and Libraries Division
Universal Service Administrative Company

cc: Frank J. Frassetto Jr., Washington School District 6

Barton, Wayne

From: Barton, Wayne
Sent: Tuesday, October 29, 2002 2:27 PM
To: 'sldcorrespondenceunit@sl.universalservice.org'
cc: Buchanan, Shawna
Subject: Request For Deadline Invoice Extension

Please grant a deadline invoice extension for the following:

- Contact Person name
Shawna Buchanan
- Contact Information (including e-mail address)
shawna.buchanan@encompass.com
- Form 471 Application Number
244902
- Funding Request Number (FRN)
596051
- Service Provider Name
Wilson Electric Co. dba Encompass Network Solutions
- Service Provider Identification Number (SPIN)
143005983
- SLC Invoice Number (If known)
not known

Encompass invoice # 58515
- Amount of Invoice

Undiscounted amount: \$33,497.94
Discounted amount: \$29,813.17
- Reason for Invoice Deadline Extension request

Work started on August 21, 2002, and completion was delayed for receipt of parts. Work completed on October 29, 2002. Applicant is submitting FCC Form 500 and updated 486.

Responses can be directed to myself or Shawna Buchanan at shawna.buchanan@encompass.com

Thanks!!!!

Wayne Barton
(480)505-6544